

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

Cr. No. 01-30036-02/USM 11116-035

VERSUS

JUDGE ROBERT G. JAMES

ASA LEE GOLDSMITH

MAG. JUDGE KAREN L. HAYES

SECOND AMENDED JUDGMENT

Pursuant to 18 U.S.C. § 3582(c)(2), which provides for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission under 28 U.S.C. § 994(u),

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Judgment of the Court, imposed on May 13, 2002, and amended on December 4, 2003, sentencing Defendant Asa Lee Goldsmith to a term of imprisonment of 100 months is again AMENDED, and Defendant's sentence is reduced to 80 months. If this sentence exceeds the amount that Defendant has already served, this shall be treated as a "Time Served" Judgment.

IT IS FURTHER ORDERED that, if Defendant is currently incarcerated in a Bureau of Prisons ("BOP") facility, this Amended Judgment is STAYED for a period of ten (10) calendar days in order to allow BOP to complete its administrative functions. However, this stay shall NOT apply to any Defendant who is in pre-release custody in a Residential Reentry Center.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to any departures)

Previous Offense Level: 33
Criminal History Category: II
Previous Guideline Range: 151-188 months

Amended Offense Level: 31
Criminal History Category: II
Amended Guideline Range: 121-151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

 The reduced sentence is within the amended guideline range.

 X The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or a Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

 Other (explain):

III. ADDITIONAL COMMENTS:

Except as otherwise provided, all provisions of the Amended Judgment dated December 4, 2003, remain in effect.

MONROE, LOUISIANA, this 3rd day of March, 2008.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE